

Procurement Regulations Amended February 18

Recently adopted amendments to the State's Procurement Regulations took effect on Wednesday, February 18. The amended rules relate to the selection of methods of construction contract management services and the implementation of Executive Order 08-01 regarding the E-Verify Program.

On January 7, 2009 the second of two public hearings regarding proposed regulations regarding the utilization of a federally approved work authorization program took place. Final amended rules were filed with the secretary of state on January 27, 2009.

These amendments add new Procurement Rule 1.12 entitled "New Employee Verification Requirement through E-Verify (or any successor hereto)". In addition, the rules amend Procurement Rules 2.3.2.12, 4.3.1.3, 4.6.2, 4.7.1, 4.8.13, 8.2.8, 8.8.3.11 and 9.69. Furthermore, the General Terms and Conditions in Appendix A have been amended by the addition of 38. New Employee Verification Requirement through E-Verify.

On January 20, 2009 the fourth and final hearing was held on rules that would establish criteria by which public agencies would be authorized to select methods of construction contract management services. The final amended rules were filed on January 27.

These amended rules replace former Rules 8.11 and 8.11.2. In addition, the amended rules add new Procurement Rules 8.11.3, 8.11.4, 8.11.5 and 8.11.6. The rules set forth alternative methods of contract management and definitions of the various methods of contract management have been added. In addition, the rules set forth the criteria for selecting these methods. As stated in Rules 8.11.1 and 8.11.2, the provisions of Rules 8.11.3 and 8.11.4 do not apply to specified road, bridge and heavy construction projects that are managed by the department of transportation.

The State's Procurement Regulations implement the provisions of RIGL Chapter 37-2, entitled State Purchases. The recently adopted regulations supersede the provisions of previously adopted Procurement Regulations that were adopted in 1995.

The amended State Procurement Regulations are contained on the secretary of state's website at <http://www2.sec.state.ri.us/dar/regdocs/released/pdf/DOA/5579.pdf>

In addition, the amended Regulations may be accessed on the website of the Division of Purchasing by going to <http://www.purchasing.ri.gov/RIVIP/Info.asp>.